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1651

PATENT
PATENT

CERTIFICATE OF MAILING

I hereby certify that on 6/17/04, this paper (along with any paper referred to as being attached or enclosed) is being deposited via first class mail to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shauna Murray

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Applicant: **Gregory B. Williams**
Serial No.: 09/553,223
Filed: 04/20/2000
Title: **A COMBINED RAPID
SUSCEPTIBILITY ASSAY
AND MICROORGANISM
IDENTIFICATION SYSTEM**

EXAMINER: P. WEBER
Group Art Unit: 1651
Atty Docket No.: Dade 14380-34

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
Mail Stop AF
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed April 20, 2004 finally rejecting claims 43-52 and 60.

The items checked below are appropriate:

1. STATUS OF APPLICATION

This application is on behalf of

- ☐ other than a small entity
☒ small entity

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(e) the fee for filing the Notice of Appeal is:

- ☒ small entity \$165.00
☐ other than a small entity \$330.00
Notice of Appeal fee due \$330.00

3. EXTENSION OF TIME

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.136 (fees: 37 C.F.R. §§ 1.17(a)-(d) for the total number of months checked below:

07/09/2004 SSITHIB1 00000095 501329 09553223

01 FC:2401 165.00 DA

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110	\$ 55
<input type="checkbox"/> two months	\$ 420	210
<input type="checkbox"/> three months	\$ 950	475
<input type="checkbox"/> four months	\$1,480	740
<input type="checkbox"/> five months	\$2,010	1,005

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

- (b) ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$165.00

Extension fee (if any) \$ _____

TOTAL FEE DUE \$165.00

5. FEE PAYMENT

- ☐ Attached is a check in the sum of \$ _____
- ☒ Charge Account No. 50-1329 the sum of \$165.00

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

- ☒ If any additional extension and/or fee is required, charge Account No. 50-1329.
- ☒ If any additional fee for claims is required, charge Account No. 50-1329.

Respectfully submitted,



Louis C. Cullman
Reg. No. 39,645

June 17, 2004

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